IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

-

WRIT PETITION NO : 12520 of 2001

Between:

S.Sampath S/o. K.R.Srinivasa Iyanger,
Mega Bangalore Baker's, R/o.H.No.187/B,

Vengalrao Nagar, Hyderabad.

..... PETITIONER

AND

1 A.P. TRANSCO, rep. by its Chairman/Secretary,
Vidyuth Soudha, Hyderabad.
2 The Assistant Divisional Engineer,
A.P. TRANSCO, Sanjeevareddy Nagar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in disconnecting the power supply to the petitioner's Bangalore Baker's Shop No.1A, bearing No. 7-1-621/289 with Meter No.18-A2-17140 of Dattasai Apartments, Datta Mansion, Sanjeevareddy Nagar, Hyderabad, is arbitrary, illegal, violative of principles of natural justice and without jurisdiction and consequently direct the respondents to restore the power supply to the petitioner's premises forthwith.

Counsel for the Petitioner: MR M.KRISHNA REDDY

Counsel for Respondents: None appeared

The Court made the following:

ORDER:

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This writ petition is filed questioning the disconnection of electricity power supply to the petitioner's Shop No.1A in the premises bearing No.7-1-621/289 with Meter No.18-A2-17140 of Dattasai Apartments, Datta Mansion, Sanjeevareddy Nagar, Hyderabad and consequently, praying to direct the respondents to restore the power supply to the petitioner's premises forthwith.

In the affidavit filed in support of the writ petition, it is stated, the petitioner is a lessee of the premises where he is running a bakery. It is stated, originally the owner of the property developed the site by constructing apartments and electricity Service Connections were taken to the said apartments. However, it is stated, so far as this premises is concerned, subsequently, on the requisition made by the petitioner, separate electricity supply was given to the Meter bearing No.18-A2-17140 of his shop by collecting necessary charges from him. It is the specific case of the petitioner that there are no arrears on account of consumption charges so far as this Service Connection is concerned. Even then, on the ground that there are arrears from the consumers of the flats with which the petitioner has no connection, these respondents have abruptly disconnected the power supply to his shop.

At the stage of admission, this Court by order dated
25-06-2001 in W.P.M.P.No.15547 of 2001, directed the respondents to restore the power supply to the petitioner's premises viz., Mega Bangalore Bakers, Shop No.A1 bearing No.7-1-621/289 of Dattasai Apartments, Datta Mansion, Sanjeeva Reddy Nagar, Hyderabad if there are no arrears on account of consumption charges in respect of Consumer No.18-A2-17140.

It is submitted by Sri M.Krishna Reddy, learned Counsel appearing for the petitioner, that in compliance of the said orders, electricity power supply is restored to his shop.

Though the writ petition is of the year 2001, no counter affidavit is filed on behalf of respondents-A.P. Transco disputing the averments made by the petitioner in the affidavit filed in support of this writ petition.

As much as it is categorically stated in the affidavit by the petitioner that there are no arrears on account of consumption charges and even the Service Connection is granted subsequently and individually for the said premises, I dispose of the writ petition, directing the respondents-A.P. Transco to continue the power supply to the

petitioner's premises viz., Mega Bangalore Bakers, Shop No.1A bearing No.7-1-621/289 of Dattasai Apartments, Datta Mansion, Sanjeeva Reddy Nagar, Hyderabad, which is restored pursuant to the interim orders of this Court dated 25-06-2001. However, it is made clear that if there are any arrears on account of consumption charges from the petitioner, it is open for the respondents to notify and collect the same from him in accordance with the terms and conditions of supply.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J

28th June, 2005.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chairman/Secretary, A.P. Transco, Vidyuth Soudha,

Hyderabad.

2. The Assistant Divisional Engineer, A.P. Transco, Sanjeevareddy

Nagar, Hyderabad.

3. Two CD copies.